IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No. 3446 of 2005 (O&M)
DATE OF DECISION: 12.9.2006

Sanjay Kedia and another

...Appellants

versus

Angrej Singh and others

... Respondents

CORAM:- Hon'ble Mr. Justice Uma Nath Singh.
Hon'ble Mr.Justice Mahesh Grover.

Present: Mr.N.D.Achint, Advocate,
for the appellants.
Mr.P.S.Khurana, Advocate
for respondent No.1 and 2.

UMA NATH SINGH, J. (ORAL)

This judgment shall also dispose of connected FAO No.3447 of 2005, as both the matters arise out of a common award dated 18.11.2003 passed by learned Presiding Officer, Motor Accident Claims Tribunal, Ludhiana, in MACT Nos.26 & 27 of 21.5.2001, awarding various amounts in one death and two injury cases.

Admittedly, filing of the appeals is barred by an inordinate delay of 521 days. Application for condonation of delay is vehemently opposed by learned counsel for respondent Nos.1 and 2 also by way of filing reply. In reply, it is mentioned that no cogent explanation has been brought on record to explain the inordinate delay. That apart, in para No.9 thereof, it is also stated that the appellants have admitted to have been in constant touch with their counsel. Besides, the driving licence said to have been issued by the DTO, Nagaland, has been found to be fake and from the

analysis of evidence on record, we do not find any material to take a different view. Hon'ble the Apex Court in the judgment reported in AIR 1998 SC 2276 (P.K.Ramachandran versus State of Kerala and another), has held that the Courts cannot extend the limitation on equitable ground.

Accordingly, both the appeals are dismissed on the ground of delay.

(UMA NATH SINGH)
JUDGE

September 12, 2006 **(MAHESH GROVER)**
pk **JUDGE**